

COUNTY OF SAN DIEGO
STATEMENT OF PROCEEDINGS
REGULAR MEETING OF BOARD OF SUPERVISORS
WEDNESDAY, AUGUST 9, 2000

Meeting was called to order at 9:12 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Ron Roberts, Vice Chairman; Greg Cox; Pam Slater; and Bill Horn; also Thomas J. Pastuszka, Clerk.

Approval of Statement of Proceedings/Minutes for meetings of July 12, 2000, and July 26, 2000.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors approved the minutes for the meetings of July 12, 2000 and July 26, 2000.

AYES: Cox, Jacob, Horn

ABSENT: Slater, Roberts

AFTERNOON SESSION - Reconvened at 2:13 p.m. Supervisors Jacob, Chairwoman; Roberts, Vice Chairman, Cox, Slater and Horn being present.

Board of Supervisors' Agenda Items

1. CONTINUED NOTICED PUBLIC HEARING:
RIVERWAY SPECIFIC PLAN FOR THE UPPER SAN DIEGO RIVER
IMPROVEMENT PROJECT, GPA 99-03 SPA 00-002, R99-005, LOG NO. 98-10-14
(CARRYOVER ITEM FROM 6/14/00 AGENDA NO. 4)
2. NOTICED PUBLIC HEARING:
SPRAGUE: LARGE-SCALE RESIDENTIAL DEVELOPMENT; SPECIFIC PLAN
(SP 87-006), ZONE RECLASSIFICATION (R88-021), TENTATIVE MAP
TM 4771RPL¹), MAJOR USE PERMIT (P88-047) AND SITE PLAN (S88-097)
3. NOTICED PUBLIC HEARING:
ZONING ORDINANCE AMENDMENTS TO THE DEFINITION OF ENCLOSURE
AND TO THE SITE PLAN APPEAL NOTIFICATION REQUIREMENTS; POD 99-
05 AND POD 99-08
4. FOSTERING RURAL TOURISM
5. APPLICATION FOR PROPOSITION 13 WATER BOND GRANTS

6. USE AGREEMENT WITH THE REGIONAL SOLID WASTE ASSOCIATION FOR HOUSEHOLD HAZARDOUS WASTE DISPOSAL
[Funding Source: Non-Exclusive Solid Waste Management Agreement Fee]
7. CONTRACT FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION, TRANSPORTATION AND DISPOSAL SERVICES
[Funding Sources: Non-Exclusive Solid Waste Management Agreement Fee and Household Hazardous Waste Discretionary Grants from the California Integrated Waste Management Board]
8. RAMONA MUNICIPAL WATER DISTRICT REQUEST FOR A WRITTEN STATEMENT FROM THE COUNTY REGARDING THEIR DECISION TO OPT OUT OF THE EMERGENCY STORAGE PROJECT
9. AGREEMENT WITH BOYLE ENGINEERING CORPORATION TO PROVIDE WASTEWATER FACILITIES STUDY AND DESIGN SERVICES ON AN AS-NEEDED BASIS
[Funding Sources: Spring Valley Sanitation District (Org 8440, Fund 212500, Account 4673, Activity K307LN in amount of \$44,000 for Central Avenue) and (Org 8440, Fund 212500, Account 4670, Activity K327LN in amount of \$72,000 for Jamacha Boulevard); Lakeside Sanitation District (Org 8414, Fund 210500, Account 4630, Activity K346LE in amount of \$30,000 for Lakeshore Drive) and (Org 8414, Fund 210500, Account 4779, Activity K326LN in amount of \$31,000 for Lakeside Interceptor); Wintergardens Sewer Maintenance District (Org 8535, Fund 246000, Account 2290, Activity LQ3000 in amount of \$46,000 for inflow/infiltration study); and Wastewater Enterprise Fund (Org 6802, Account 2290, Activity SA1011 in amount of \$27,000 for unspecified minor projects).]
10. SET HEARING FOR 9/27/00, 9:00 A.M.
SET HEARING TO CONSIDER VACATING A PORTION OF TENNIS COURT (VAC 00-002), DESCANSO COMMUNITY PLANNING AREA
11. PROGRESS REPORT: GENERAL PLAN 2020
12. SET HEARING FOR 9/13/00, 9:00 A.M.
MULTIPLE SPECIES CONSERVATION PROGRAM – ACQUISITION OF PARCEL NO. 99-0154-A (UNITED BROKERS REALTY, INC.)
13. ADOPT A RESOLUTION ACCEPTING PREVIOUSLY REJECTED OFFERS TO DEDICATE PUBLIC EASEMENTS FOR COUNTY OF SAN DIEGO TRACT NO. 3838-1 (MAP 10959), LOCATED IN CREST/DEHESA PLANNING AREA

14. ADMINISTRATIVE ITEM:
APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PUBLIC
AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO
5098-1, LOCATED IN THE RAMONA COMMUNITY PLAN AREA
15. APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PUBLIC
AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO
5091-1, AND ADOPTION OF A RESOLUTION ACCEPTING AN
IRREVOCABLE OFFER OF DEDICATION, LOCATED IN THE RAMONA
COMMUNITY PLANNING AREA
16. CLOSED SESSION:
(CARRYOVER ITEM FROM 8/8/2000, AGENDA NO. 27)
17. PUBLIC COMMUNICATION

1. **SUBJECT: CONTINUED NOTICED PUBLIC HEARING:
RIVERWAY SPECIFIC PLAN FOR THE UPPER SAN DIEGO RIVER
IMPROVEMENT PROJECT, GPA 99-03 SPA 00-002, R99-005, LOG
NO. 98-10-14
(Carryover Item from 6/14/00 Agenda No. 4)
(Supv. Dist: 2)**

OVERVIEW:

The project is a Specific Plan Amendment, General Plan Amendment, a Zone Reclassification and a Circulation Element Amendment for the RiverWay Specific Plan in the Upper San Diego River Improvement Project in Lakeside. The project also includes amendments to The Zoning Ordinance, the Biological Mitigation Ordinance and the Resource Protection Ordinance to delete special exemptions that had been provided for this area.

FISCAL IMPACT:

Not/Applicable.

BUSINESS IMPACT STATEMENT:

The amendments to the Specific Plan will allow a greater range of uses than are currently allowed and will also allow open storage in the western portion of the project site. This allows a greater flexibility for the property owners while ensuring compatibility with uses outside the Specific Plan Area. The eastern end of the project area remains unchanged and is available to most M54 uses.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Concur with the Planning Commission and additionally recommends that the Board:

1. Certify that the Final Environmental Impact Report dated July 9, 1999 and revised on July 26, 2000, on file with the Department of Planning and Land Use as Environmental Review No. 98-10-014, has been completed in compliance with the California Environmental Quality Act, reflects the Board of Supervisors independent judgment and analysis and was presented to the Board and the Board has reviewed and considered the information contained in the Final Environmental Impact Report prior to approving the project;
2. Adopt the California Environmental Quality Act Findings Concerning the Significant Environmental Effects of the Project , dated July 26, 1999, on file with the Department of Planning and Land Use as Environmental Review No. 98-10-014; responsibilities, and identifying the responsible parties and code enforcement mechanisms for the project area.
3. Adopt the Statement of Overriding Considerations, dated July 26, 2000, on file with the Department of Planning and Land Use as Environmental Review No. 98-10-014;
4. Adopt the Explanation of the Decision Regarding Recirculation of the Draft Environmental Impact Report;

5. Adopt the Mitigation Monitoring Plan; and
6. Adopt the Statement of Location and Custodian of Record of Proceedings.

**RECOMMENDATION:
PLANNING COMMISSION:**

Recommend to the Board of Supervisors that they take the following action:

1. Adopt the Resolution of the Board of Supervisors amending the Upper San Diego River ("RiverWay") Specific Plan (SPA 00-002).
2. Adopt the Resolution of the Board of Supervisors approving General Plan Amendment GPA 99-03 amending the Lakeside Community Plan and Lakeside Community Plan Map and the Circulation Element, Lakeside Area, Sheet 4.
3. Approve Zone Reclassification R99-005 and adopt the Zone Reclassification Ordinance listed in the attached Form of Ordinance with the summary title:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN
REAL PROPERTY WITHIN THE LAKESIDE COMMUNITY PLANNING AREA

4. Read title and waive further reading of an Ordinance entitled: AN ORDINANCE AMENDING THE RESOURCE PROTECTION ORDINANCE, THE BIOLOGICAL MITIGATION ORDINANCE AND THE ZONING ORDINANCE, RELATING TO THE UPPER SAN DIEGO RIVER IMPROVEMENT PROJECT; and introduce for further consideration and adoption on September 13, 2000.
5. Direct staff to develop a comprehensive, user-friendly reference document describing all appropriately related water quality permits, standards, performance standards, monitoring, management plans, and enforcement activities and responsibilities, and identifying the responsible parties and code enforcement mechanisms for the project area.

ACTION:

Errata sheet providing updates to USDRIP Final EIR dated July 26, 2000, received, ON MOTION of Supervisor Jacob, seconded by Supervisor Slater, the Board of Supervisors took action as recommended by the Chief Administrative Officer and Planning Commission with the following exceptions: (1) the trail alignment on the map proposed on property identified as Signs Trucking should be aligned in a manner that avoids the risk of blocking road access to the property; directed the Chief Administrative Officer to investigate and provide a report to the Board determining if the use of Signs Trucking buffer is in compliance with County standards including the prescriptive rights road realignment issue; (2) provide for a 50 foot planning buffer measuring from the top of the slope, except where the trail must be built outside the planning buffer to pass under Riverford Road. In this instance only (reducing compliance for the parcel to a 25-foot planning buffer, noting the exception applies only to the portion of the property where the trail is not in the Planning Buffer); (3) the Board added "gas stations" and

"dry cleaners" to the non-allowable use list; and (4) included replacement wording regarding trails as presented in Board of Supervisors Exhibit 3; adopting Resolution No. 00-303, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AMENDING THE UPPER SAN DIEGO RIVER ["RiverWay"] SPECIFIC PLAN [SP 90-003] [SPA 00-002], and Resolution No. 00-304, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) 99-03, adopting Ordinance No. 9243, (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE LAKESIDE COMMUNITY PLANNING AREA REF: GPA 99-03, ITEM 2, R99-005, and introduced Ordinance for further Board consideration on September 13, 2000.

AYES: Cox, Jacob, Slater, Roberts, Horn

2. **SUBJECT: NOTICED PUBLIC HEARING:
SPRAGUE: LARGE-SCALE RESIDENTIAL DEVELOPMENT;
SPECIFIC PLAN (SP 87-006), ZONE RECLASSIFICATION (R88-021),
TENTATIVE MAP (TM 4771RPL¹), MAJOR USE PERMIT (P88-047)
AND SITE PLAN (S88-097)
(Supv. Dist: 2)**

OVERVIEW:

This project proposes the following: a Specific Plan that implements a (21) Specific Plan Area (2.5) Land Use Designation which is identified as the Sprague Specific Plan Area in the Lakeside Community Plan; a Rezone that proposes to change existing (P) RS4 and RR1 Use Regulations to S88 Use Regulations; a Tentative Map that proposes 108 single detached units and 5 multi-family units over a 67 acre project site; a Major Use Permit for a Planned Residential Development; and a Site Plan for the purpose of vesting the Tentative Map. The project is located on Calle Lucia Terrace between Via Diego Lane and Gay Rio Terrace in the community of Lakeside.

FISCAL IMPACT:

None.

BUSINESS IMPACT STATEMENT

Denial of this project would affect business involved in construction until such time as an alternative development is approved.

RECOMMENDATION:

PLANNING COMMISSION:

The Planning Commission took the following action at the hearing of December 17, 2000: After 90 days (March 16, 2000), if the Director of Planning and Land Use finds that the required Extended Initial Studies are not complete, the Planning Commission recommends that the Board of Supervisors deny the applications for Specific Plan SP 87-006, Zone Reclassification R88-021, Tentative Subdivision Map TM 4771, Major Use Permit P88-047 and Site Plan S88-097 based upon the findings included in this report.

RECOMMENDATION:

DEPARTMENT OF PLANNING AND LAND USE:

1. Deny the requested Zone Reclassification.
2. Deny Major Use Permit P88-047 for the reasons included in the staff report.
3. Adopt the Resolution denying TM 4771RPL¹ for the reasons included in the staff report.
4. Adopt the attached Resolution denying SP 87-006 for the Sprague Specific Plan for the reasons stated therein and discussed in the staff report.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Slater, the Board of Supervisors closed the Hearing and took action as recommended, adopting the following Resolutions entitled:

00-305 RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS
 DENYING THE SPRAGUE SPECIFIC PLAN SP 87-006

00-306 RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS
 DENYING TENTATIVE MAP NO. 4771RPL¹

AYES: Cox, Jacob, Slater, Roberts

ABSENT: Horn

3. **SUBJECT: NOTICED PUBLIC HEARING:
ZONING ORDINANCE AMENDMENTS TO THE DEFINITION OF
ENCLOSURE AND TO THE SITE PLAN APPEAL NOTIFICATION
REQUIREMENTS; POD 99-05 AND POD 99-08**
(Supv. Dist: All)

OVERVIEW:

The project is a Zoning Ordinance Amendment consisting of two components. The first component (POD 99-05) proposes to include operations in the zoning definition of Enclosure, that currently provides only for the enclosure of the storage and display of goods, and the amendment modifies the reference in the definition regarding the visibility of the land use from public rights-of-way to its visibility from outside the boundaries of the parcel on which the operations are conducted. The second component of the amendment (POD 99-08) includes notification requirements in Sections 7605 and 7606 of the Zoning Ordinance for appeals of Site Plan decisions.

FISCAL IMPACT:

Not applicable.

BUSINESS IMPACT STATEMENT:

Not applicable.

RECOMMENDATION:

PLANNING COMMISSION:

That the Board of Supervisors take the following actions:

1. Find that the proposed project has been determined to be exempt from the California Environmental Quality Act as specified under Section 15061(b)(3) of the California Environmental Quality Act Guidelines because the proposed amendments involve procedural and textual changes, rather than substantive changes, that would not result in significant environmental impacts.
2. Adopt the attached Form of Ordinance:
AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATING TO THE
DEFINITION OF ENCLOSURE AND TO THE SITE PLAN APPEAL
NOTIFICATION REQUIREMENTS

RECOMMENDATION:

DEPARTMENT OF PLANNING AND LAND USE:

The Department concurs with the recommendation of the Planning Commission.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 9244 (N.S.) entitled: AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATING TO THE DEFINITION OF ENCLOSURE AND TO THE SITE PLAN APPEAL NOTIFICATION REQUIREMENTS.

AYES: Cox, Jacob, Slater, Roberts, Horn

4. **SUBJECT: FOSTERING RURAL TOURISM**
(Supv. Dist: All)

OVERVIEW:

Across America and in Europe, it has become increasingly popular for urban residents to vacation on farms. In most cases, the guest occupies a small detached unit on a working farm or stays in a room in the farmhouse. This fosters rural tourism, which remains important to the San Diego region, while, at the same time, allowing local farmers to supplement their incomes.

Potential impacts to neighboring properties can be controlled and prevented through the use of a Minor Use Permit and by limiting the number of guests who can stay overnight. While the County of San Diego allows campgrounds and resorts on agricultural properties zoned A70 and A72, and also permits rental housing on these properties, currently, the County prohibits limited guest lodging. Amending the Zoning Ordinance to allow this kind of temporary lodging with a Minor Use Permit would give the family farm an additional source of revenue, while providing visitors to the backcountry with an opportunity to experience farm life and enjoy rural tranquility.

FISCAL IMPACT:

None.

RECOMMENDATION:

CHAIRWOMAN JACOB:

Direct the Chief Administrative Officer to consult with local community planning groups and return to the Board of Supervisors in 120 days with amendments to the Zoning Ordinance that allow guest lodging in the A70 and A72 agricultural zones with a Minor Use Permit.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

5. **SUBJECT: APPLICATION FOR PROPOSITION 13 WATER BOND GRANTS**
(Supv. Dist: All)

OVERVIEW:

The Chief Administrative Officer requests Board authorization to apply to the State Department of Water Resources, the State Water Resources Control Board and other State agencies as necessary, for Proposition 13 (Water Bond) grants.

On March 7, 2000, California voters approved Proposition 13, otherwise known as the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Act (referred to as the Water Bond). Proposition 13 provides \$1.97 billion in bond funds for state, local and nonprofit agencies to implement various water-related resource protection and enhancement activities. Grant funds received by the County of San Diego will be used for the following purposes: flood plain mapping, flood corridor protection, urban stream restoration, watershed protection, river protection, nonpoint source control, wastewater reclamation, water recycling, coastal nonpoint source control, agricultural water conservation, groundwater recharge facilities, infrastructure rehabilitation, urban water conservation and water quality infrastructure.

Upon issuance of the Request for Proposals by the State, the County will develop and submit specific project applications for Proposition 13 funding consideration. Upon award of funding, staff will return to the Board for approval to accept funds and to provide details of any required matching funds.

FISCAL IMPACT:

There is no fiscal impact resulting from this action. This is a request to apply for grant funding only. Upon award of funding, staff will return to the Board for approval to accept funds and to provide details of any required matching funds.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Authorize the Chief Administrative Officer to direct staff to apply for Proposition 13 (Water Bond) grants.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

6. **SUBJECT: USE AGREEMENT WITH THE REGIONAL SOLID WASTE ASSOCIATION FOR HOUSEHOLD HAZARDOUS WASTE DISPOSAL**
(Supv. Dist: All)

OVERVIEW:

The Department of Environmental Health seeks Board authorization to enter into a use agreement with the Regional Solid Waste Association to provide unincorporated area residents the opportunity to dispose of their household hazardous waste at the Vista Permanent Household Hazardous Waste Collection Facility. As of July 1, 2000, the Regional Solid Waste Association has assumed administrative and operational responsibility for the Permanent Household Hazardous Waste Collection Facility located in the City of Vista. Therefore, the previous agreement between the County of San Diego and the City of Vista cannot be renewed, and a new agreement with the Regional Solid Waste Association is needed to continue service to County residents at the Vista facility. This agreement will allow for access to Household Hazardous Waste disposal services for unincorporated area residents.

FISCAL IMPACT:

Funds for this request are budgeted in the Department of Environmental Health for FY 00-01. The funding source is the Non-Exclusive Solid Waste Management Agreement Fee. If approved, this request will result in estimated costs of \$100,000 for FY 00-01 and \$100,000 for each subsequent year. This request will require the addition of no staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. In accordance with section 15061(b)(3) of the California Environmental Quality Act (CEQA) guidelines, find that it can be seen with certainty that there is no possibility this project may have a significant effect on the environment and that it is therefore not subject to CEQA.
2. Authorize the Deputy Director, Purchasing and Contracting, or his designee to enter into an agreement with the Regional Solid Waste Association to allow unincorporated area residents the use of the Permanent Household Hazardous Waste Collection Facility located in the City of Vista, and to reimburse the Regional Solid Waste Association's contractor for costs associated with this use. The contract period shall be from September 1, 2000 through June 30, 2001, with options to renew for additional one-year periods. The amount of the contract shall not exceed \$100,000 for the current fiscal year and \$100,000 for each subsequent fiscal year.
3. Authorize the Director of Environmental Health or designee to execute any amendments, extensions and/or revisions thereof, that do not materially impact or alter either the program or funding level, and to exercise options to renew the agreement for subsequent years.

ACTION:

Adding Recommendation No. 4 to read: Find, pursuant to Board Policy A-96, that exception number four applies to the proposed use agreement with the Regional Solid Waste Association because the Permanent Household Hazardous Waste Collection Facility is the only facility in this portion of North County that has the equipment and licenses needed to accept and process household hazardous wastes. Further, the cost of obtaining the necessary facility, equipment and licenses would far exceed the costs associated with this use agreement and would be disproportionate for the result obtained from the use agreement, ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

7. **SUBJECT: CONTRACT FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION, TRANSPORTATION AND DISPOSAL SERVICES**
(Supv. Dist: All)

OVERVIEW:

The Department of Environmental Health seeks Board authorization to enter into a contract, not to exceed \$150,000, with Safety-Kleen (California), Inc. for the provision of household hazardous waste collection, transportation and disposal services at the County-operated household hazardous waste collection facility in Ramona, and at one-day collection events in the unincorporated area, during Fiscal Year 2000-01. If approved, this contract will make possible the opening and operation of the Ramona facility by the end of August 2000.

FISCAL IMPACT:

Funds for this request are budgeted in the Department of Environmental Health for FY 00-01. The funding sources are the Non-Exclusive Solid Waste Management Agreement Fee and Household Hazardous Waste Discretionary Grants from the California Integrated Waste Management Board. If approved, this request will result in estimated costs of \$150,000 for FY 00-01. This request will require the addition of no staff years.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. In accordance with section 15061(b)(3) of the California Environmental Quality Act (CEQA) guidelines, find that it can be seen with certainty that there is no possibility this project may have a significant effect on the environment and that it is therefore not subject to CEQA.
2. Find, pursuant to Board Policy A-96, Sequence for Obtaining a Chief Administrative Officer Determination Regarding Economy and Efficiency of Independent Contractors pursuant to Charter Section 703.10, that exception number four applies to the proposed contract with Safety Kleen, Inc. This exception provides that the service depends in part on the use of equipment and material not possessed by the County at the time and place required and the cost to the County of procuring such equipment and material would be disproportionate for the result obtained.

3. Find, in accordance with Board of Supervisors Policy A-87, Competitive Procurement, that the proposed contract with Safety-Kleen, Inc. qualifies for a class exemption from competitive procurement under Section 1(c), based on a competitive contract awarded by another governmental agency.
4. Authorize the Deputy Director, Purchasing and Contracting, to enter into a contract agreement with Safety-Kleen (California) Inc. to operate the Ramona Permanent Household Hazardous Waste Collection Facility, and one-day household hazardous waste collection events.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

8. **SUBJECT: RAMONA MUNICIPAL WATER DISTRICT REQUEST FOR A WRITTEN STATEMENT FROM THE COUNTY REGARDING THEIR DECISION TO OPT OUT OF THE EMERGENCY STORAGE PROJECT**
(Supv. Dist: All)

OVERVIEW:

On June 20, 2000, The Ramona Municipal Water District Board of Directors adopted a resolution making a determination not to rely upon or pay the County Water Authority's Emergency Storage Project charge. The District has provided the County with technical data to support their statement that the District has sufficient alternative emergency water supply without this project. In accordance with the regulations established by the San Diego County Water Authority, the District must obtain a written statement of consent or non-opposition from the local jurisdiction that has land use authority over the District's service area. The Ramona Municipal Water District has requested that the County of San Diego provide a written position regarding the District's decision to opt out of the County Water Authority's Emergency Storage Project by August 18, 2000.

FISCAL IMPACT:

Not applicable.

BUSINESS IMPACT STATEMENT:

Not applicable.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Authorize the Chairwoman to sign the letter found in Attachment A, stating that the Board of Supervisors supports the Emergency Storage Project and that the County Water Authority (not the Board of Supervisors) is the appropriate authority to decide whether the Ramona Municipal Water District should be allowed to opt out of the County Water Authority's Emergency Storage Project charge.

ACTION:

Revised letter for Chairwoman's signature entered into the record, Board of Supervisors Exhibit No. 1, ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

9. **SUBJECT: AGREEMENT WITH BOYLE ENGINEERING CORPORATION TO PROVIDE WASTEWATER FACILITIES STUDY AND DESIGN SERVICES ON AN AS-NEEDED BASIS**
(Supv. Dist: 1, 2)

OVERVIEW:

The Department of Public Works has a need for consultant services on an as-needed basis to provide a medium scale wastewater facilities study and design services in support of in-house Wastewater Management engineering design staff. Consultant services on an as-needed basis will enable Wastewater Management to overcome temporary staffing shortfalls, provide technical expertise when required and keep public improvement projects on schedule. The consultant will assist in defining project requirements, refine cost estimates and expedite design work for Capital Improvement Program projects.

Public agencies in California must use a Qualifications Based Selection method to contract for consultant services. This method requires such services be engaged on basis of demonstrated competence and qualifications for types of services to be performed and at a fair and reasonable cost. Board Policy F-40 (Procuring Architectural, Engineering and Related Professional Services) describes the County's method for Qualifications Based Selection. In accordance with provisions of the policy, four consultant firms from the Joint County/City of San Diego list for Water/Wastewater Facilities were interviewed for the project. Boyle Engineering Corporation of San Diego was selected for this project as the most qualified firm to perform required services.

This is a request to approve an as-needed agreement with Boyle Engineering Corporation to provide a wastewater facilities study and design services for fees not to exceed \$250,000, with a term ending August 10, 2002. The agreement also authorizes the Director, Department of Public Works to extend the termination date until funds are exhausted; and to adjust allowable billing rates on an annual basis to mutually agreed upon fair and reasonable rates.

FISCAL IMPACT:

This proposal is budgeted in the FY 2000-01 Department of Public Works Wastewater Management Activities Program. Funding sources are: Spring Valley Sanitation District (Org 8440, Fund 212500, Account 4673, Activity K307LN in amount of \$44,000 for Central Avenue) and (Org 8440, Fund 212500, Account 4670, Activity K327LN in amount of \$72,000 for Jamacha Boulevard); Lakeside Sanitation District (Org 8414, Fund 210500, Account 4630, Activity K346LE in amount of \$30,000 for Lakeshore Drive) and (Org 8414, Fund 210500, Account 4779, Activity K326LN in amount of \$31,000 for Lakeside Interceptor);

Wintergardens Sewer Maintenance District (Org 8535, Fund 246000, Account 2290, Activity LQ3000 in amount of \$46,000 for inflow/infiltration study); and Wastewater Enterprise Fund (Org 6802, Account 2290, Activity SA1011 in amount of \$27,000 for unspecified minor projects). If approved, this request will result in current year cost of \$250,000, no annual cost and will require no additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find pursuant to Section 15061(b)(3) of California Environmental Quality Act (CEQA) Guidelines, requested actions are exempt from CEQA because it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three originals of an Agreement with Boyle Engineering Corporation, to provide wastewater facilities study and design services on an as-needed basis for compensation not to exceed \$250,000. Agreement to terminate August 10, 2002, or when funds exhausted or services are no longer required, whichever shall occur first, with option to extend termination date by written mutual agreement if original funding remains available.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the agreement.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

10. **SUBJECT: SET HEARING FOR 9/27/00, 9:00 A.M.**
SET HEARING TO CONSIDER VACATING A PORTION OF TENNIS COURT (VAC 00-002), DESCANSO COMMUNITY PLANNING AREA
(Supv. Dist: 2)

OVERVIEW:

This is a request to set a public hearing to consider vacating a portion of the road Tennis Court in the community of Descanso. Tennis Court was originally dedicated for a future public street as part of Subdivision Map 1615, approved in December 1913. At that time, a resort was planned for the area. As part of the resort tennis courts were to be included and a future public street to be named Tennis Court was to provide public access to the tennis courts and two parcels behind them. The resort never materialized. The area instead has developed as individual private residential lots, and a public road is no longer needed.

FISCAL IMPACT:

Not Applicable

Business Impact Statement

Not Applicable

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Direct the Clerk of the Board of Supervisors to:

- a) Set a public hearing for September 27, 2000, at 9:00 a.m. to consider vacating a portion of Tennis Court located west of Oak Grove Drive; and
- b) Provide the notice required by law.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, setting Hearing for September 27, 2000, 9:00 a.m.

AYES: Cox, Jacob, Slater, Roberts, Horn

11. **SUBJECT: PROGRESS REPORT: GENERAL PLAN 2020**
(Supv. Dist: All)

OVERVIEW:

This is a progress report on the General Plan 2020 project. The General Plan update will accommodate population growth and plan for infrastructure needs, development, and resource preservation in the unincorporated area to the year 2020. This is a status report on project tasks; Community Planning and Sponsor Group input; and public and industry outreach.

FISCAL IMPACT:

There is no fiscal impact associated with this status report.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Note and File.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

12. **SUBJECT: SET HEARING FOR 9/13/00, 9:00 A.M.
MULTIPLE SPECIES CONSERVATION PROGRAM – ACQUISITION
OF PARCEL NO. 99-0154-A (UNITED BROKERS REALTY, INC.)**
(Supv. Dist: 2)

OVERVIEW:

The purchase of Parcel No. 99-0154-A is part of an ongoing acquisition program to assemble and preserve important habitat lands and create trail linkage to other parcels identified in the Lakeside Multiple Species Conservation Program Preserve. This property is adjacent to several other parcels acquired by the County over the past eighteen months.

The State of California, federal government and other agencies have committed to assist the County of San Diego to acquire or fund the acquisition of habitat lands within the Multiple Species Conservation Program Preserve areas.

The Board is requested to set a hearing for September 13, 2000 to consider the purchase of Parcel No. 99-0154-A from United Brokers Realty, Inc. The property consists of an 8.73-acre parcel located in the community of Lakeside.

FISCAL IMPACT:

There is no fiscal impact associated with this request. Should the Board of Supervisors approve the purchase of the parcel on September 13, 2000, the California Wildlife Conservation Board would fund 50% of the purchase. The remaining 50% will be provided by the County. Funds for this purpose are budgeted in Capital Project KA9500 for Multiple Species Conservation Program Acquisitions.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Direct the Clerk of the Board of Supervisors to publish the required Notice of Intention to Purchase in accordance with Government Code Sections 25350 and 6063.
2. Set this matter for September 13, 2000 at which time the Board of Supervisors may consummate the purchase of Parcel No. 99-0154-A (United Brokers).

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, setting Hearing for September 13, 2000, 9:00 a.m.

AYES: Cox, Jacob, Slater, Roberts, Horn

13. **SUBJECT: ADOPT A RESOLUTION ACCEPTING PREVIOUSLY REJECTED OFFERS TO DEDICATE PUBLIC EASEMENTS FOR COUNTY OF SAN DIEGO TRACT NO. 3838-1 (MAP 10959), LOCATED IN CREST / DEHESA PLANNING AREA**
(Supv. Dist: 2)

OVERVIEW:

This project is a recorded subdivision consisting of 17 single-family residential lots, and a total acreage of 36.25 acres. It is located in the Dehesa area on the northeast side of the intersection of Dehesa Road and Sycuan Summit Drive. (Thomas Guide, Page 1252, H-7, 2000 Edition).

The project is being brought before the Board for adoption of a resolution accepting previously rejected offers to dedicate.

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Adopt the Resolution Accepting Previously Rejected Offers to Dedicate Public Easements, accepting previously rejected offers of dedication of Dehesa Meadow Road, Sycuan Summit Drive and a portion of Dehesa Road, Abutters Rights of Access into Dehesa Road and Sycuan Summit Drive, Drainage Easements and Clear Space Easements, all offered and rejected on Map No. 10959. (Attachment A)
2. Direct the Clerk of the Board of Supervisors to record the adopted Resolution Accepting Previously Rejected Offers to Dedicate Public Easements with the San Diego County Recorder.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-307, entitled: RESOLUTION ACCEPTING PREVIOUSLY REJECTED OFFERS TO DEDICATE PUBLIC EASEMENTS.

AYES: Cox, Jacob, Slater, Roberts, Horn

14. **SUBJECT: ADMINISTRATIVE ITEM:
APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR
PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN
DIEGO TRACT NO 5098-1, LOCATED IN THE RAMONA
COMMUNITY PLAN AREA**
(Supv. Dist: 2)

OVERVIEW:

This project is a planned development consisting of 46 residential lots with a maximum of 46 dwelling units, 1 private street lot, 5 open space lots, and a total acreage of 5.04 acres. It is located in the Ramona Community Plan Area at the intersection of 'H' Street and 14th Street, southeast corner. (Thomas Guide, Page 1152, G-7, 2000 Edition)

The project is being brought before the Board for approval of the final map and the secured agreement for the public and private improvements.

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Approve this map and accept on behalf of the public, subject to improvements, a portion of lot 48 for use as a street as dedicated on said map.
2. Accept the grant of an easement for open space over all of lots 48, 49, 50, 51, and 52 as granted on said map.
3. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement to Improve Major Subdivision, which includes the street improvements, sewer facilities, water facilities, and setting of final monuments.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

15. **SUBJECT: APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO 5091-1, AND ADOPTION OF A RESOLUTION ACCEPTING AN IRREVOCABLE OFFER OF DEDICATION, LOCATED IN THE RAMONA COMMUNITY PLANNING AREA**
(Supv. Dist: 2)

OVERVIEW:

This project is a subdivision consisting of 12 single-family residential lots, and a total area of 49.67 acres. It is located in the Ramona area, on the northwest corner of the intersection of Ash Street and Maple Street. (Thomas Guide, Page 1152, F-3, 2000 Edition)

The project is being brought before the Board for approval of the final map and the secured agreement for the public and private improvements, and the adoption of a resolution accepting an irrevocable offer of dedication.

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER :

1. Approve this map and accept on behalf of the public, subject to improvements, the portion of Ash Street for use as a street as dedicated on said map.
2. Accept the access rights from Lot 4 in and to Ash Street as relinquished and waived on said map.
3. Accept the drainage easement as dedicated on said map.
4. Reject, on behalf of the public, the portion of Lots 11 and 12 reserved for future street, together with the right to extend and maintain drainage facilities and excavation and embankment slopes beyond the limits of the right-of-way, as offered for dedication on said map.
5. Reject, on behalf of the public, the portion of Avenida Naranja, together with the right to extend and maintain drainage facilities and excavation and embankment slopes beyond the limits of the right-of-way, as offered for dedication on said map.
6. Adopt the Resolution Accepting An Irrevocable Offer Of Dedication accepting a portion of the offer of dedication of Doc. No. 73-197441, recorded July 17, 1973, and direct the Clerk of the Board of Supervisors to record it with the San Diego County Recorder.
7. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement to Improve Major Subdivision, which includes street improvements, drainage facilities, water facilities, and setting of final monuments.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-308, entitled: RESOLUTION ACCEPTING AN IRREVOCABLE OFFER OF DEDICATION.

AYES: Cox, Jacob, Slater, Roberts, Horn

16. **SUBJECT: Closed Session:**
(Carryover Item From 8/8/2000, Agenda No. 27)
(Supv. Dist: All)
- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
ames Dawson, et al. v. County of San Diego; San Diego Superior Court No. GIC 1353
 - B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Luis Arenas v. Board of Supervisors, et al.; San Diego Superior Court No. GIC 743845
 - C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Jacquelyn Giles, et al. v. Bill Horn, et al.; San Diego Superior Court No. 733081
 - D. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
Anticipated litigation pursuant to section (b) of Government Code section 54956.9
No. of Potential Cases: 1
 - E. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
Anticipated litigation pursuant to section (b) of Government Code section 54956.9
No. of Potential Cases: 1
 - F. CONFERENCE WITH LABOR NEGOTIATORS
Designated Representative: Carlos Arauz, Madge Blakey and Mike Kolb
Employee Organizations: Deputy Sheriffs Association and District Attorney
Investigators Association

ACTION:

County Counsel reported the following:

The Board of Supervisors in the case of Luis Arenas v. Board of Supervisors, authorized County Counsel to file an appeal from the Superior Court decision that invalidated the County Ordinance denying general relief benefits to convicted drug felons. That appeal will be filed by County Counsel.

The Board of Supervisors authorized and directed County Counsel to sign this settlement agreement is with Mr. Bart Hartman and Ms. Rhoda Corpuz to resolve a sexual harassment complaint. The settlement agreement provides for a \$100,000 payment to award Rhoda Corpuz among other terms . The settlement agreement is available for individuals who wish to obtain the agreement.

17. **SUBJECT: Public Communication**

Carol Leighty addressed the Board regarding concerns related to the competitive Request For Proposals of Heartbeat and concerns regarding services and oversight issues.

ACTION:

Heard; and referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 6:10 p.m.

THOMAS J. PASTUSZKA

Clerk of the Board of Supervisors
County of San Diego, State of California

Notes by: Tominia

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NOTE: This Statement of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.